

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

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JANE DOE, on behalf of her infant daughter,

Plaintiff,

1:19-cv-556 (BKS/TWD)

*-against-*

THE FULTON COUNTY YOUNG MEN'S  
CHRISTIAN ASSOCIATION, INC., TYLER BENTON

Defendants,

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**Hon. Brenda K. Sannes, Chief United States District Judge**

**ORDER**

Upon reading and filing the Declaration of Jane Doe, parent and natural guardian of her infant daughter under the age of 18 years, sworn to on the 8th day of August, 2022, the Declaration of Ryan M. Finn, Esq., attorney for said plaintiff and infant, sworn to the 10th day of August, 2022, and upon all other exhibits annexed thereto, having held a hearing regarding the motion for approval of the proposed settlement via videoconference on September 9, 2022, at which Jane Doe and her infant daughter appeared, having considered the parties' representations at the hearing, and having made a diligent inquiry into the circumstances underlying this action and the proposed settlement, the Court finds that the best interests of the infant plaintiff will be served by approval of this proposed settlement, and that the settlement is fair and reasonable. Accordingly, it is hereby

ORDERED, that Jane Doe is hereby authorized and empowered to settle and compromise this claim, upon compliance with the following terms of this Order; and it is further

ORDERED, that this claim is settled and compromised for the sum of \$350,000.00

payable as follows:

- a. Lump sum payment of \$122,423.88, upon settlement of this action payable to Finn Law Offices, which payment shall represent attorneys' fees payable as 1/3 of the total recovery (\$116,666.66), plus reimbursement of expenses in the amount of \$5,757.22;
- b. Lump sum payment of \$227,576.12 to Jane Doe, to be placed in a federally insured account in the infant's name with Jane Doe named as custodian; and it is further,

ORDERED, that conditioned upon compliance with the terms of this Order the said guardian and parent be, and hereby is authorized and empowered to execute and deliver a general release and any other instrument necessary to effectuate the settlement herein; and it is further


ORDERED, that the settlement proceeds be allocated exclusively for the infant's pain and suffering cause of action; and it is further

ORDERED, that the hereinabove settlement represents full satisfaction of all damages and claims against any and all tortfeasors; and it is further

ORDERED, that payment of the settlement proceeds shall be made with two weeks of the signing of this Order; and it is further

ORDERED that plaintiff shall file a stipulation of dismissal, signed by all parties, by September 23, 2022.

Signed this 9<sup>th</sup> day of September, 2022.

  
Brenda K. Sannes  
Chief U.S. District Judge